

IN THE UNITED STATES DISTRICT COURT

GREENBELT, MARYLAND

HESMAN TALL

Plaintiff

CASE NUMBER

1 GJH 21CV2123

v.

COMMISSIONER OF THE
HOWARD COUNTY HOUSING AUTHORITY

Defendant

**MOTION FOR INJUNCTIVE RELIEF UNDER REASONABLE ACCOMODATIONS
LAWS UNDER AUTHORITY OF THE AMERICANS WITH DISABILITIES ACT
AND PROHIBITIONS ON UNDUE HARDSHIP**

BEFORE THEE BRING the plaintiff's Request for Reasonable Accommodations
under the Americans with Disabilities Act and 24 Code of Federal Regulations
Section 982.303 (b) (2), Title 24, Subtitle B, Chapter 9, Part 982 and Title II of the ADA,
28 CFR Part 35, the Fair Housing Act, 42 USC §35.49 -150 24 CFR § 982.304 and
42 USC §3601 prohibiting discrimination and prohibitions causing undue hardship to a
Disabled Person

**PROHIBITIONS ON UNDUE HARDSHIP UNDER THE
AMERICANS WITH DISABILITIES ACT**

- 1} **EXHIBIT A. IDENTITY THEFT POLICE REPORT**
- 2} The defendant is ignoring the undue hardship caused to the plaintiff
- 3} Plaintiff is a Victim of identity theft which has ruined his credit
- 4} The defendant is unlawfully refusing to consider the extenuating circumstances and

undue hardship caused to the plaintiff being the victim of identity theft

5} The defendant is refusing to correct and remedy the undue hardship caused to the plaintiff under 24 CFR § 982.303 (b) (2)

6} 24 CFR § 982.303 (b) (2) clearly orders that (2) *If the family needs and requests an extension of the initial voucher term as a reasonable accommodation, in accordance with part 8 of this title, to make the program accessible to a family member who is a person with disabilities, the PHA must extend the voucher term up to the term reasonably required for that purpose.*

7} Title II of the ADA, 28 CFR Part 35, the Fair Housing Act, 42 USC §35.49 -150 24 CFR § 982.304 and 42 USC §3601 prohibits discrimination and prohibits causing undue hardship to a Disabled Person

8} Title II of the ADA also prohibits disruptive events, significant differences, and all forms of discrimination against Disabled Persons.

UNDUE HARDSHIP CAUSED TO THE PLAINTIFF

1} Plaintiff being a victim of identity theft has caused undue hardship because plaintiff's credit has been ruined which has made it almost impossible to obtain a Lease.

2} Therefore, because I am the victim of identity theft I am requesting an extension of the voucher term up to the date that I am approved for an apartment lease by a Apartment Management Company and / or landlord, property owner

3} There are also the facts that, after plaintiff pays for a Credit Check by a property owner :

a} A denial of a Lease Agreement because of a negative credit rating will continue to negatively impact plaintiff's credit

b} The denial of the lease will extend the amount of time plaintiff can apply for another apartment or property by at least 2 years.

<https://www.credit.com/blog/how-long-does-negative-information-stay-on-my-credit-report-65360/?success=true>

- c} It takes 24 months for a denial of credit to be removed from a credit report
- b} An Inquiry of plaintiff's credit rating by a property owner will also negatively affect plaintiff's credit
- 4} Respectfully, in response to defendant's last email, no property owners are open on Sundays
- 5} Defendant knows plaintiff is the Victim of Identity Theft { Please see the attached Police Report that was also emailed to the defendant on July 6, 2021 }

REASONABLE ACCOMMODATION RELIEF REQUESTED

- 1} **EXHIBIT B. EMAIL DELIVERED TO THE DEFENDANT ON AUGUST 13, 2021**
- 2} The Reasonable Accommodation the plaintiff is requesting under 24 CFR § 982.303 (b) (2) is the Extension of the Voucher Term, to make his access to the Housing Choice Voucher Program possible, up to the completion of the purpose of an Apartment Management Company and Property Owner completing a Credit Check and then finding that plaintiff's credit has been repaired sufficiently for them clearing the way for plaintiff to Lease an apartment after the correction of my Credit Report and the deletion of the negative effects to my Credit Rating caused by the identity theft


- 3} **EXHIBIT C. SOCIAL SECURITY SSI AWARD LETTER**

EXTENSION PERIOD REQUESTED : August 16, 2021 to September 16, 2023

CERTIFICATE OF MAILING

Plaintiff hereby certifies that in compliance with §205(g) of the Social Security Act and 42 U.S.C. §405(g) and 4 (i) of the Fed. Rules for Judicial Procedure on this __19__ day of August, 2021 a copy of the above motion for injunctive relief

was mailed by first-class USPS to the defendant who is Mr Peter Engel Commissioner
of the Howard County Housing Authority 9770 Patuxent Woods Blvd
Columbia, MD 21046



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